

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

MILLENNIUM TGA, INC.

Plaintiff,

v.

JOHN DOE,

Defendants.

Case No. 4:11-cv-04501

**DEFENDANT'S MOTION TO ALTER OR AMEND THE JUDGMENT  
PURSUANT TO FED. R. CIV. P. 59(e)**

Defendant, John Doe 112/IP Address 184.155.204.241, by and through undersigned counsel, respectfully moves this court pursuant to Federal Rule of Civil Procedure 59(e) to alter or amend its judgment entered on December 14, 2012 (Docket No. 123). The Court's judgment was based on a clear error of law, and correcting the decision is necessary to prevent manifest injustice. For this reason, and those further stated in the accompanying Memorandum and Affidavit, the Defendant respectfully requests that this motion be granted and that the Court's order and judgment of December 14, 2012 be amended to provide that the dismissal is *with* prejudice by operation of Rule 41(a)(1)(B).

A proposed order is filed herewith.

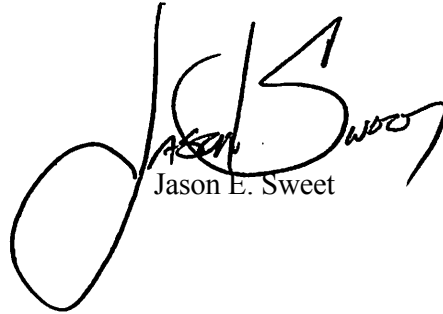
Dated: January 11, 2013

Respectfully,

  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 11, 2013, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to those indicated as non-registered participants.



Jason E. Sweet